

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VISA U.S.A. INC.,

Plaintiff,

vs.

MARITZ INC., d/b/a MARITZ
LOYALTY MARKETING,

Defendant.

Case No. CV-07-5585 JSW

**[PROPOSED] ORDER DENYING MARITZ
INC.'S MISCELLANEOUS APPLICATION
FOR AN ORDER RESCHEDULING THE
MOTIONS TO BE HEARD ON
FEBRUARY 29, 2008**

AND RELATED COUNTERCLAIMS

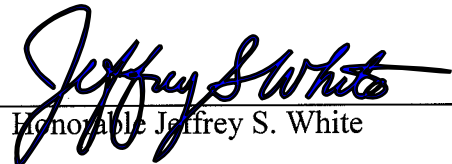
Now before the Court is Defendant and Counter Claimant Maritz Inc.'s ("Maritz's") miscellaneous request for an order re-scheduling the February 29, 2008 hearing date on Plaintiff and Counter Respondent, Visa U.S.A. Inc.'s ("Visa's") motion to compel arbitration, Maritz's motion to stay arbitration, and Maritz's request to stay the hearing on Visa's motion or in the alternative for expedited discovery ("Parties' Respective Motions"). Having carefully reviewed the submissions of the Parties, and the relevant legal authority, and good cause appearing, Defendant's motion is hereby GRANTED IN PART AND DENIED IN PART.

1 IT IS HEREBY ORDERED that the hearing on the Parties' Respective Motions will be
2 heard on:

3 X February 22, 2008 at 1:30 p.m.; [OR
4 ~~on February __, 2008 at 9:00 a.m.]~~

5 IT IS SO ORDERED.

6 DATED: January 29, 2008


Honorable Jeffrey S. White

UNITED STATES JUDGE FOR THE
NORTHERN DISTRICT OF CALIFORNIA